THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No. 19846 of 2006

Date 22-09-2006

Between:

Chukkapalli Subbarao.

..... PETITIONER

AND

The Govt. of A.P. Ministry of Home Affairs, Freedom Fighters Division, rep. by its under Secretary, Loknayak Bhavan and another.

.....RESPONDENTS

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION No.19846 of 2006

O R D E R :

Heard the learned counsel for the petitioner and the learned Assistant Solicitor General appearing for the respondents.

Under the impugned order dated 04-08-2006 issued by the first respondent, the petitioner was called upon to explain as to why the freedom fighters pension granted to him should not be cancelled and as to why action should not be taken for refund of the entire amount of pension already drawn. That apart, pending such enquiry, the provisional pension sanctioned to the petitioner, vide order dated 20-07-1986, was suspended with immediate effect. The petitioner states that he had already submitted the explanation on 05-09-2006.

Having regard to the fact that the petitioner had already submitted his explanation and further enquiry is pending, I am not inclined to express any opinion on merits. However, keeping in view the nature of the allegations made, I am of the opinion that the suspension of provisional pension sanctioned to the petitioner pending enquiry is unwarranted.

Accordingly, to that extent, the impugned order is set aside and the Writ Petition is disposed of with a direction to the respondents to complete the enquiry initiated against the petitioner as expeditiously as possible and to pass appropriate orders in accordance with law within a period of eight (8) weeks from the date

of receipt of this order. It is made clear that till such time the petitioner shall be paid the provisional pension as sanctioned under the order dated 20-7-1986 regularly.

The writ petition is accordingly disposed of. No order as to costs.

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22-09-2006

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